

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:05CR00014 ERW
)	(LMB)
SALVATORE VINCENT FAZIO,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Lewis M. Blanton [doc. #75] pursuant to 28 U.S.C. § 636(b). On May 4, 2006, Defendant filed an Objection to the Report and Recommendation [doc. #76].¹ The Report and Recommendation recommends that Defendant's Motion to Suppress Evidence and Statements [doc. #55] be denied.

"[W]hen a party objects to the report and recommendation of a magistrate judge concerning a dispositive matter, '[a] judge of the court shall make a *de novo* review determination of those portions of the report or specified proposed findings or recommendations to which objection is made.'" *United States v. Lothridge*, 324 F.3d 599, 600 (8th Cir. 2003) (quoting 28 U.S.C. § 636(b)(1)). In this case, Defendant has presented only a generalized objection to the Report and Recommendation and requests a *de novo* review.² He has not specified any portion of the Report or

¹With leave of Court, this Objection was filed out of time.

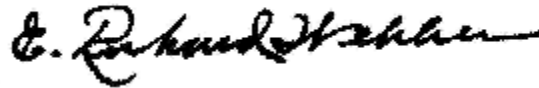
²Defendant's Objection states as follows:
Defendant hereby objects to the Report and Recommendation for the reasons detailed within his previously filed Motion to Suppress Evidence and Statements. . . . [I]t is

proposed findings which he believes are in error. In any event, the Magistrate did not err in denying Defendant's Motion. As the Magistrate correctly concluded after a thorough review, all of Defendant's arguments are without merit. The Court has considered the Report and Recommendation and hereby sustains, adopts, and incorporates herein the Magistrate's Report and Recommendation in its entirety.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Suppress Evidence and Statements [doc. #55] is **DENIED**.

Dated this 9th day of May, 2006.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE

prayed that the Court conduct a *de novo* review of the record in the instant case, overrule the Report and Recommendation previously filed, and order that Defendant's Motion to Suppress Evidence and Statements be granted.

Generally, this kind of objection does not warrant *de novo* review. *See, e.g., U.S. v. O'Neill*, 27 F.Supp.2d 1121, 1126 (E.D. Wis. 1998).